

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE)	
)	
ALEXANDER E. JONES)	CASE No. 22-33553
)	
DEBTOR.)	(CHAPTER 11)
)	
)	JUDGE CHRISTOPHER M. LOPEZ

**FIFTH MONTHLY FEE STATEMENT OF JORDAN & ORTIZ, P.C. FOR
ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AS
CO-COUNSEL TO THE DEBTOR FOR THE PERIOD FROM
MAY 16, 2023 THROUGH JUNE 30, 2023**

Name of Applicant:	Jordan & Ortiz, P.C. (“J&O”)	
Applicant’s Role in Case:	Co-Counsel to Debtor	
Date Order of Appointment Signed:	January 20, 2023 (Dkt #105)	
	Beginning of Period	End of Period
Time Period Covered in Statement:	05/16/2023 ¹	06/30/2023
Summary of Total Fees and Expenses Requested		
Total Fees Requested in this Statement:	\$15,476.00 (80% of \$19,345.00)	
Total Reimbursable Expenses Requested in this Statement:	\$203.39 ²	
Summary Attorney Fees for the Period Covered by this Statement		
Attorneys Fees in this Statement:	\$18,420.00	
Total Actual Attorneys Hours Covered by this Statement:	30.70	
Average Hourly Rate for Attorneys:	\$630.13	
Summary Paraprofessional Fees for the Period Covered by this Statement		
Paraprofessional Fees Requested in this Statement:	\$925.00	
Total Actual Paraprofessional Hours Covered by this Statement:	3.70	
Average Hourly Rate for Paraprofessionals:	\$250.00	

¹ May 1-15, 2023 time was included in the First Interim Application for fees and expenses from December 1, 2022 through May 15, 2023 (Docket #306) and Ordered to be paid (Docket #346).

² The date listed for expenses contained in the attached does not necessarily reflect the date on which the expense was actually incurred by Applicant.

In accordance with the Order Granting Motion for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Chapter 11 Professionals [ECF #106], each party receiving notice of the monthly fee statement will have 14 days after service of the monthly fee statement to object to the requested fees and expenses. Upon the expiration of such 14 day period, the Debtor is authorized to pay the Professional an amount of 80% of the fees and 100% of the expenses requested in the applicable monthly fee statement.

RELIEF REQUESTED

1. This is Jordan & Ortiz, P.C.'s ("J&O") fourth monthly fee statement for compensation (the "Fee Statement") for the period of May 16, 2023 through June 30, 2023 (the "Fee Period") pursuant to the Order Granting Motion for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Chapter 11 Professionals [ECF #106] (the "Interim Compensation Order"). J&O is filing its first amended monthly fee statement for compensation showing that J&O requests: (a) allowance of compensation in the amount of \$15,476.00 (80% of \$19,345.00) for actual, reasonable, and necessary professional services rendered to the Debtor by J&O and (b) reimbursement of actual, reasonable, and necessary costs and expenses in the amount of \$203.39 incurred by J&O during the Fee Period. By this Fee Statement, J&O seeks interim allowance of compensation for services rendered and reimbursement of expenses incurred solely in connection with its work performed on behalf of the Debtor.

SERVICES RENDERED AND DISBURSEMENTS INCURRED

2. Attached above as Exhibit "A" is the Fee Statement for the period May 16, 2023 through June 30, 2023, which includes a summary of professionals who rendered services to the Debtor during the Fee Period, including each person's billing rate and the fees incurred during the Fee Period summarized by task code and the itemized schedule of expenses within each category,

including description, incurred with the amounts for which reimbursement is requested. Exhibit “A” also shows the fee statements that were included in the First Interim Application for fees and expenses from December 1, 2022 through May 15, 2023 (Docket #306) and Ordered to be paid (Docket #346). Attached as Exhibit “B” is a Task Code breakdown by Attorney and Paralegal.

NOTICE AND OBJECTION PROCEDURES

3. Pursuant to the Interim Compensation Order notice of this Fee Statement has been provided to:

- a. Debtor Counsel, Crowe & Dunlevy, PC, 2525 McKinnon St, Ste. 425, Dallas, TX 75201 (Attn: Vickie L. Driver, dallaseservice@crowedunlevy.com)
- b. U.S. Trustee c/o/ Ha Minh Nguyen and Jayson ruff, Office of the United States Trustee 515 Rusk St Ste 3516 Houston, TX 77002, ha.nguyen@usdoj.gov, jayson.b.ruff@usdoj.gov
- c. Official Committee of Unsecured Creditors, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036 (Attn: David M. Zensky, Marty L. Brimmage, Jr., Sara L. Brauner and Melanie A. Miller; dzensky@akingump.com, mbrimmage@akingump.com, sbrauner@akingump.com, melanie.miller@akingump.com)
- d. Connecticut Plaintiffs, (a) Koskoff & Bieder PC, 350 Fairfield Avenue, Bridgeport, CT 06604 (Attn: Alinor Sterling, ASterling@koskoff.com) and (b) Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, NY 10019 (Attn: Kyle J. Kimpler and Martin Salvucci, kkimpler@paulweiss.com, msalvucci@paulweiss.com)
- e. Texas Plaintiffs, (a) McDowell Hetherington LLP, 1001 Fannin Street, Suite 2700, Houston, TX 77002 (Attn: Avi Moshenberg, avi.moshenberg@mhllp.com) and (b) Chamberlain, Hrdlicka, White, Williams & Aughtry, PC, 1200 Smith Street, Suite 1400, Houston, TX 77002 (Attn: Jarrod B. Martin, Jarrod.Martin@chamberlainlaw.com)
- f. All parties that receive ECF notifications

In light of the nature of the relief requested herein, J&O submits that no further or other notice is required.

4. Pursuant to the Interim Compensation Order (ECF #106), the Notice Parties and parties in interest have 14 days after service of the Monthly Fee Statement to object to the requested fees and expenses. If any Notice Party, or any other party in interest, objects to a Retained Professional's Monthly Fee Statement, it must serve on the affected Retained Professional and each of the other Notice Parties a written objection (the "Objection") so that it is received on or before the Objection Deadline. Thereafter, the objecting party and the affected Retained Professional may attempt to resolve the Objection on a consensual basis. If the parties are unable to reach a resolution of the Objection within 14 days after service of the Objection, or such later date as may be agreed upon by the objecting party and the affected Retained Professional, the affected Retained Professional may either: (i) file a response to the Objection with the Court, together with a request for payment of the difference, if any, between the Maximum Payment and the Authorized Payment made to the affected Retained Professional (the "Incremental Amount") and schedule such matter for hearing on at least 14 days' notice; or (ii) forego payment of the Incremental Amount until the next interim or final fee application hearing, at which time the Court will consider and dispose of the Objection if requested by the affected Retained Professional. Failure by a Notice Party, or any other party in interest, to object to a Monthly Fee Statement shall not constitute a waiver of any kind nor prejudice that party's right to object to any Interim Fee Application (as defined below) subsequently filed by a Retained Professional.

5. Although every effort has been made to include all fees and expenses incurred in the Fee Period, some fees and expenses might not be included in this Monthly Fee Statement due to delays caused by accounting and processing during the Fee Period. J&O reserves the right to make further application to this Court for allowance of such fees and expenses not included herein, or correct and erroneous or errors set out herein. Subsequent Monthly Fee Statements will be filed

in accordance with the Bankruptcy Code, the Bankruptcy Rules, and the Interim Compensation Order.

WHEREFORE, pursuant to the Interim Compensation Order, and pending the expiration of the objection deadline, if no objections to the Fee Statement are received, J&O respectfully requests: (a) that it be allowed on an interim basis (i) \$15,476.00 (80% of fees in the amount of \$19,345.00) for reasonable, actual and necessary services rendered by it on behalf of the Debtor during the Fee Period and (ii) reimbursement of \$203.39 for reasonable, actual and necessary expenses incurred during the Fee Period; (b) that the Debtor be authorized and directed to immediately pay to J&O the amount of \$15,679.39 which is equal to the sum of 80% of J&O's fees and 100% of J&O's expenses incurred during the Fee Period, and (c) and granting such other and further relief as the Court may deem just and proper.

Dated: July 19, 2023

/s/ Shelby A. Jordan
SHELBY A. JORDAN
State Bar No. 11016700
S.D. No. 2195
ANTONIO ORTIZ
State Bar No. 24074839
S.D. No. 1127322
Jordan & Ortiz, P.C.
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aortiz@jhwclaw.com
Copy to: cmadden@jhwclaw.com
CO-COUNSEL FOR DEBTOR

CERTIFICATE OF SERVICE

I certify that on July 19, 2023, a true and correct copy of the foregoing pleading was served upon the parties listed on the attached service list via the Court's ECF system and pursuant to Local Rule 9003-1, via e mail or U.S. mail as follows:

- a. Debtor Counsel, Crowe & Dunlevy, PC, 2525 McKinnon St, Ste. 425, Dallas, TX 75201 (Attn: Vickie L. Driver, dallaseservice@crowedunlevy.com)
- b. U.S. Trustee c/o/ Ha Minh Nguyen and Jayson ruff, Office of the United States Trustee 515 Rusk St Ste 3516 Houston, TX 77002, ha.nguyen@usdoj.gov, jayson.b.ruff@usdoj.gov
- c. Official Committee of Unsecured Creditors, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036 (Attn: David M. Zensky, Marty L. Brimmage, Jr., Sara L. Brauner and Melanie A. Miller; dzensky@akingump.com, mbrimmage@akingump.com, sbrauner@akingump.com, melanie.miller@akingump.com)
- d. Connecticut Plaintiffs, (a) Koskoff & Bieder PC, 350 Fairfield Avenue, Bridgeport, CT 06604 (Attn: Alinor Sterling, ASterling@koskoff.com) and (b) Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, NY 10019 (Attn: Kyle J. Kimpler and Martin Salvucci, kkimpler@paulweiss.com, msalvucci@paulweiss.com)
- e. Texas Plaintiffs, (a) McDowell Hetherington LLP, 1001 Fannin Street, Suite 2700, Houston, TX 77002 (Attn: Avi Moshenberg, avi.moshenberg@mhllp.com) and (b) Chamberlain, Hrdlicka, White, Williams & Aughtry, PC, 1200 Smith Street, Suite 1400, Houston, TX 77002 (Attn: Jarrod B. Martin, Jarrod.Martin@chamberlainlaw.com)
- f. All parties that receive ECF notifications

/s/ Shelby A. Jordan

Shelby A. Jordan

EXHIBIT “A”**JORDAN & ORTIZ, P.C. MARCH INVOICE FOR PERIOD
MAY 16, 2023 through June 30, 2023****SUMMARY OF PREVIOUS INVOICES THAT HAVE BEEN ORDERED
TO BE PAID UNDER DOCKET #346**

<u>Invoice No.</u>	<u>Month Billed</u>	<u>Invoice Date</u>	<u>Fees</u>	<u>Expenses</u>	<u>Invoice Total</u>	<u>Amount Applied</u>	<u>Remaining Balance Due</u>
922199	December	1/27/23	\$77,362.50	\$506.65	\$77,869.15	-\$62,396.65	\$15,472.50
922213	January	2/15/23	\$28,125.00	\$102.50	\$28,227.50	-\$22,602.50	\$5,625.00
922268	February	3/2/23	\$51,205.00	\$22.44	\$51,227.44	-\$40,986.44	\$10,241.00
922376	March	4/6/23	\$46,820.00	\$120.30	\$46,940.30	-\$20,804.57	\$26,135.73
922405	April	5/4/23	\$15,560.00	\$0.00	\$15,560.00	\$0.00	\$15,560.00
922449	May 1-15	5/18/23	\$24,550.00	\$315.70	\$24,865.70	\$0.00	\$24,865.70
TOTAL				\$1,067.59	\$244,690.09	-\$146,790.16	\$97,899.93

JORDAN & ORTIZ, P.C.
 500 N. SHORELINE BLVD, SUITE 900
 CORPUS CHRISTI, TEXAS 78401-0341
 TAX ID NO. 74-2553880
 (361) 884-5678

JONES, ALEX
 alexejones1777@gmail.com

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 June 08, 2023
 Account No: 5481-002000M
 Statement No: 922462

Bankruptcy

PREVIOUS BALANCE					\$97,899.93
					Hours
05/16/2023	SAJ	B110	A106	Call to debtor regarding meeting on Saturday.	0.20
	SAJ	B120	A107	Call and conference with Pattis on turnover of give-send-go fund to DIP account and wire instruction from co-counsel.	0.30
	SAJ	B190	A107	Follow up email to co-counsel again requesting a copy of the settlement agreement and status report of telephone conference with Isgur and settlement offer.	0.20
	SAJ	B190	A107	Call from Battaglia and email to Lemmon on settlement and PQPR (David and Carol) 2004 exam and Cicack 2004 exam.	0.40
05/19/2023	SAJ	B110	A106	Call with debtor.	1.00
	SAJ	B110	A109	Prepare and attend status conference with court and review timing of mediation offer and response.	0.70
	SAJ	B110	A107	Email and call from Pattis regarding appellate brief and discussions he had with debtor.	0.70
	SAJ	B110	A107	Email to co-counsel regarding items in status conference.	0.40
05/22/2023	SAJ	B110	A107	Telephone conference with Pattis and Battaglia regarding retention of fees due by FSS and Jones and work on documents needed.	0.70
	SAJ	B310	A103	Work on edits to Pattis appeal brief and telephone conference with Pattis.	2.00
05/24/2023	CRM	B160	A103	Revisions to first interim fee application and send to Shelby Jordan for approval.	2.20
05/26/2023	SAJ	B190	A104	Review relief from stay filed by De La Rosa and Posner.	0.40
	SAJ	B190	A106	Call and conference with debtor regarding June 14 hearing.	0.40

JONES, ALEX

June 08, 2023

Account No: 5481-002000M
Statement No: 922462

Bankruptcy

				Hours		
	SAJ	B190	A103	Final review and forward edits and conference with Pattis regarding edits done to prior appellate brief.	1.80	
05/29/2023	CRM	B160	A103	Final review and revisions to first interim fee application and proposed order and file and serve same.	1.50	
	SAJ	B190	A103	Work on final drafts edits to Norm Pattis appeal brief and record excerpts.	2.00	
05/30/2023	SAJ	B190	A103	Work on new final drafts edits to Norm Pattis appeal brief and record excerpts and telephone conference with Pattis.	2.30	
05/31/2023	SAJ	B110	A107	Call from Pattis regarding attorneys fees remaining and questions of FSS non-payment; email to co-counsel and call to Battalgia.	0.70	
	SAJ	B190	A107	Conference with Pattis regarding appeal brief and my expected edits and work on edits.	0.80	
				For Current Services Rendered	18.70	9,925.00

Recapitulation

<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
SHELBY A. JORDAN	Partners	15.00	\$600.00	\$9,000.00
CHRYSTAL MADDEN	Paralegals	3.70	250.00	925.00

05/31/2023	B110	E106	Online Research - Lexis	16.99
05/31/2023	B110	E106	Online research - Pacer	172.10
			Total Expenses	189.09
			Total Current Work	10,114.09
			Balance Due	<u>\$108,014.02</u>

Task Code Summary

		<u>Fees</u>	<u>Expenses</u>
B110	Case Administration	2640.00	189.09
B120	Asset Analysis and Recovery	180.00	0.00
B160	Fee/Employment Applications	925.00	0.00
B190	Other Contested Matters (excluding assumption/rejection motions)	4980.00	0.00
B100	Administration	8,725.00	189.09
B310	Claims Administration and Objections	1200.00	0.00
B300	Claims and Plan	1,200.00	0.00

The entry N/C signifies time spent for which there will be no charge.

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 July 11, 2023
 Account No: 5481-002000M
 Statement No: 922517

Bankruptcy

PREVIOUS BALANCE						
						\$108,014.02
					Hours	
06/02/2023	SAJ	B120	A104	Review ESG emergency motion to quash discovery and call to client.	0.30	
06/05/2023	SAJ	B110	A106	Call to client regarding current status of outstanding issues.	0.30	
	SAJ	B160	A107	Email and call to Battaglia regarding Connecticut appeal fee due Pattis.	0.30	
	SAJ	B190	A107	Conference with Pattis regarding appeal and appeal fees and status of additional California assistance by client/co-counsel.	0.30	
	SAJ	B190	A107	Email to co-counsel for first draft of response to MSJ.	0.30	
06/06/2023	SAJ	B110	A106	Call to client.	0.20	
	SAJ	B110	A107	Email to co-counsel regarding communications.	0.20	
	SAJ	B160	A107	Conference with Pattis regarding new counsel DH and review and call and message to Battaglia.	0.40	
	SAJ	B190	A107	Request draft copies of response to MSJ from co-counsel.	0.20	
06/08/2023	SAJ	B110	A104	Review docket for update in absence of communications from co-counsel.	0.40	n/c
06/09/2023	SAJ	B190	A103	Begin review of draft response to MSJ by Sandyhook Plaintiffs.	2.80	
06/10/2023	SAJ	B190	A104	Work on review and outline of CT and TX MSJ response and briefing.	1.30	
06/11/2023	SAJ	B190	A104	Continue review of draft of response to MSJ by Sandyhook Plaintiffs amended CT and TX briefing and make notes for appellate lawyers.	2.10	
06/12/2023	SAJ	B190	A104	Finish review of draft response to MSJ by Sandyhook plaintiffs amended CT and TX briefing and circulate copies and		

JONES, ALEX

July 11, 2023

Account No: 5481-002000M
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Bankruptcy

				Hours		
			comments to Pattis and Martin for important ideas and briefing in the appeals.	2.30		
06/13/2023	SAJ	B160	A107	Conference with Battaglia regarding Pattis application for appellate work and status of issues regarding mediation and counter-proposals from Sandy Hook plaintiffs. s	0.40	
	SAJ	B190	A107	Review and forward to Pattis and Martin filed copies of client's response to MSJ as appellate counsel for consideration in drafting appellate issues and arguments.	0.70	
06/14/2023	SAJ	B190	A109	Attend hearing on motion to lift stay tex other plaintiffs and emails to co-counsel regarding Court's response and questions.	0.80	
06/23/2023	SAJ	B170	A107	Circulate certificate of no objection to J&O fees and email to co-counsel and advisors and respond to reply regarding payment of 20% holdback and call to Battaglia.	1.00	
	SAJ	B190	A107	Email from Wholman of Randazo firm regarding bad faith claim and court ruling and forward to co-counsel.	0.40	
06/29/2023	SAJ	B110	A107	Multiple emails to co-counsel after attending hearings on cash collateral and 9019 settlement Pozner claims and offer in mediation and request status of co-counsel communications on these topics.	0.40	
	SAJ	B210	A109	Attend conference on cash collateral and 9019 Pozner settlement and conference with Battaglia.	1.00	
				For Current Services Rendered	15.70	9,420.00
				Total Non-billable Hours	0.40	

<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
SHELBY A. JORDAN	Partners	15.70	\$600.00	\$9,420.00

06/30/2023	B110	E123	Research - Pacer	14.30
			Total Expenses	14.30
			Total Current Work	9,434.30
			Balance Due	<u>\$117,448.32</u>

Task Code Summary

		<u>Fees</u>	<u>Expenses</u>
B110	Case Administration	660.00	14.30
B120	Asset Analysis and Recovery	180.00	0.00

JONES, ALEX

July 11, 2023

Account No: 5481-002000M
Statement No: 922517

Bankruptcy

		<u>Fees</u>	<u>Expenses</u>
B160	Fee/Employment Applications	660.00	0.00
B170	Fee/Employment Objections	600.00	0.00
B190	Other Contested Matters (excluding assumption/rejection motions)	6720.00	0.00
B100	Administration	8,820.00	14.30
B210	Business Operations	600.00	0.00
B200	Operations	600.00	0.00

The entry N/C signifies time spent for which there will be no charge.

EXHIBIT “B”**TASK CODES**

<u>CATEGORIES</u>	<u>ATTORNEY TIME</u>	<u>PARALEGAL TIME</u>
B110 Case Administration	5.5	
B120 Asset Analysis and Recovery	.60	
B130 Asset Disposition		
B140 Relief from Stay/Adequate Protection		
B150 Meetings of & Communications with Creditors		
B160 Fee/Employment Applications	1.1	3.70
B170 Fee/Employment Objections	1.0	
B180 Avoidance Action Analysis		
B185 Assumption/Rejection of Executory Contracts		
B190 Other Contested Matters	19.5	
B195 Non-Working Travel		
B210 Business Operations	1.0	
B220 Employee Benefits/Pensions		
B230 Financing/Cash Collections		
B240 Tax Issues		
B250 Real Estate		
B260 Board of Directors Matters		
B310 Claims Administration and Objections	2.0	
B320 Plan and Disclosure Statement		
B410 General Bankruptcy Advice/Opinions		
B420 Restructurings		
TOTALS:	30.7	3.70